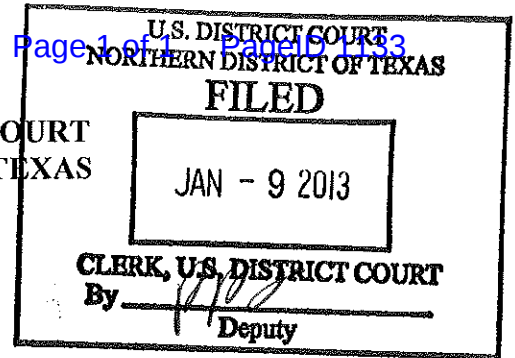


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION



UNITED STATES OF AMERICA

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V

NO: 7:12-CR-05-O

PATRICK HERRIAN (15)

**REPORT AND RECOMMENDATION**  
**CONCERNING PLEA OF GUILTY**

PATRICK HERRIAN, by consent, under authority of United States v. Dees, 125 F.3d 261 (5<sup>th</sup> Cir. 1997), has appeared before me pursuant to Fed. R. Crim. P. 11, and has entered a plea of guilty to **Count 1 of the 1<sup>st</sup> Superseding Indictment**. After cautioning and examining PATRICK HERRIAN under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea was knowledgeable and voluntary and that the offense charged is supported by an independent basis in fact containing each of the essential elements of such offense. I therefore recommend that the plea of guilty be accepted and that PATRICK HERRIAN be adjudged guilty and have sentence imposed accordingly.

Date: January 9, 2013

  
UNITED STATES MAGISTRATE JUDGE

**NOTICE**

Failure to file written objections to this Report and Recommendation within fourteen (14) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. §636(b)(1)(B).